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| <b>TO:</b> Mail Stop 8<br>Director of the U.S. Patent and Trademark Office<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | JAN 23 2009<br><b>REPORT ON THE<br/>         FILING OR DETERMINATION OF AN<br/>         ACTION REGARDING A PATENT OR<br/>         TRADEMARK</b> |
|--|---|

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Central District of California on the following ☒ Patents or ☒ Trademarks:

| DOCKET NO.<br><b>CV09-00253 RGK (Ex)</b>                                       |                                | DATE FILED<br>1/12/2009   | U.S. DISTRICT COURT<br>Central District of California |
|--|--------------------------------|---|---|
| PLAINTIFF<br>GEOFFREY MCCABE, individual residing in California,<br>PLAINTIFF. |                                | DEFENDANT<br>FLOYD ROSE MARKETING INC., a Washington<br>corporation, HIPSHOT PRODUCTS, INC., a New York<br>corporation, DEFENDANTS. |   |
| PATENT OR<br>TRADEMARK NO.   | DATE OF PATENT<br>OR TRADEMARK | HOLDER OF PATENT OR TRADEMARK   |   |
| 1 5,965,831 A  | 10/12/1999                     | Geoffrey L. McCabe  |   |
| 2 6,175,066 B1   | 1/16/2001                      | Geoffrey L. McCabe  |   |
| 3 6,891,094 B2   | 5/10/2005                      | Geoffrey L. McCabe  |   |
| 4 7,470,841 B1   | 12/30/2008                     | Geoffrey L. McCabe  |   |
| 5  |                                |   |   |

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

| DATE INCLUDED              | INCLUDED BY                                   |  |  |  |
|----------------------------|---|--|--|--|
|                            | <input checked="" type="checkbox"/> Amendment | <input checked="" type="checkbox"/> Answer | <input checked="" type="checkbox"/> Cross Bill | <input checked="" type="checkbox"/> Other Pleading |
| PATENT OR<br>TRADEMARK NO. | DATE OF PATENT<br>OR TRADEMARK                | HOLDER OF PATENT OR TRADEMARK              |  |  |
| 1                          |   |  |  |  |
| 2                          |   |  |  |  |
| 3                          |   |  |  |  |
| 4                          |   |  |  |  |
| 5                          |   |  |  |  |

In the above—entitled case, the following decision has been rendered or judgement issued:

|                    |
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| DECISION/JUDGEMENT |
|--------------------|

|       |                   |      |
|-------|-------------------|------|
| CLERK | (BY) DEPUTY CLERK | DATE |
|-------|-------------------|------|

Copy 1—Upon initiation of action, mail this copy to Director    Copy 3—Upon termination of action, mail this copy to Director  
 Copy 2—Upon filing document adding patent(s), mail this copy to Director    Copy 4—Case file copy